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by fax to Examiner Cindy Nguyen
at UNITED STATES PATENT OFFICE
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from David S. Thompson
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date June 29, 2004
pages 3 (including cover page)

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Hello Examiner Nguyen—

Please find three total sheets, including:

- * This cover sheet,
- * 2 sheets with an agenda for an Examiner interview.

Please call me at 509-324-9256 ext. 235 if you have any questions.

—David S. Thompson

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/608,395
Filing Date June 30, 2000
Inventor..... Larson, P.
Group Art Unit2171
Examiner Nguyen, C.
Applicant Microsoft Corporation
Attorney's Docket No. MS1-479US
Title: Partial Pre-Aggregation in Relational Database Queries

AGENDA FOR EXAMINER INTERVIEW

To: Commissioner of Patents and Trademarks,
Alexandria VA 22313-1450

From: David S. Thompson (Tel. 509-324-9256 ext. 235; Fax 509-928-2642)
Lee & Hayes, PLLC
421 W. Riverside Ave., Suite 500
Spokane, WA 99201

Time and Date of Examiner Interview:

The Applicant would prefer to schedule the interview for any time between 7am and 7pm Pacific Time (10am to 10pm Eastern Time), preferably on any day between now and July 16th. Please call and tell me your preferred time. If I am out of the office, please leave a message, and I will call you to confirm.

Attendees for the Interview:

The Applicant would like to propose that the following people attend the telephonic interview:

Cindy Nguyen, Examiner, 703-305-4698;

Wayne Amsbury, Primary Examiner, 703-305-3828; and

David Thompson the Applicant's attorney, 509-324-9256 ext. 235.

Agenda for the Interview:

Topic 1: Is the Larson reference (US. 6,115,705) valid prior art in this case?

The Larson reference is a Microsoft reference; the application is a Microsoft application. The Larson reference issued 09/05/2000; the application was filed 06/30/2000. The Larson reference was used to make section 103 rejections.

Topic 2: Should the Larson reference have been excluded as prior art?

The Applicant filed an RCE 11/13/2003. In the Remarks section of the Response filed 11/13/2003, the Applicant argued that Larson is not prior art with respect to the section 103 rejections. The Applicant discussed the Larson situation from page 18, line 3 to page 19 line 8.

The Patent Office argued that the request to exclude Larson was not in the proper form (Office Action mailed 02/02/2004; middle of page 2).

The Applicant again argued that Larson is not prior art in the Response of 04/16/2004 (see page 17 line 15 to 18 line 16).

Topic 3: Should the Patent Office issue a non-final Office Action wherein the Larson reference is excluded?

The Applicant feels that it is clear that the Larson reference is not prior art, and should have been excluded. Therefore, the Applicant respectfully suggests that an oversight resulted in the use of the Larson reference, and that this oversight should be reversed by issuance of a non-final Office Action.

Respectfully Submitted,

Date: 6-29-04

By: David S. Thompson

David S. Thompson

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